

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1) JENNI R. WARD,)	
)	
Plaintiff,)	
)	
v.)	Case. No.
)	
2) LM GENERAL INSURANCE COMPANY,)	
3) aka/dba LIBERTY MUTUAL INSURANCE)	
COMPANY,)	
4) aka/dba LIBERTY MUTUAL GROUP, INC.,)	
5) aka/dba LIBERTY INSURANCE COMPANY,)	
6) aka/dba LIBERTY MUTUAL FIRE)	
INSURANCE COMPANY,)	
)	
Defendants.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants LM General Insurance Company, aka/dba Liberty Mutual Insurance Company, aka/dba Liberty Mutual Group, Inc., aka/dba Liberty Insurance Company, aka/dba Liberty Mutual Fire Insurance Company ("Defendants") hereby remove the above-captioned action from the District Court of Oklahoma County, State of Oklahoma, to the United States District Court for the Western District of Oklahoma. In support of this removal, Defendants state as follows:

1. On November 24, 2015, Plaintiff Jenni R. Ward ("Plaintiff") filed a First Amended Petition in the District Court of Oklahoma County, Oklahoma, captioned *Jenni R. Ward v. LM General Insurance Company, aka/dba Liberty Mutual Insurance Company, aka/dba Liberty Mutual Group, Inc., aka/dba Liberty Insurance Company, aka/dba Liberty Mutual Fire Insurance Company*, as Case No. CJ-2015-3968. A true copy of the state court docket sheet is attached as Exhibit 1. All process, pleadings, and orders filed or served in the State Court Action are attached hereto as Exhibits 2 through 10.

2. According to the First Amended Petition, Plaintiff is a resident of Oklahoma County, Oklahoma. Defendant LM General Insurance Company is a corporation organized under the laws of the State of Illinois with its principal place of business in Boston, Massachusetts. Defendant Liberty Mutual Insurance Company is a corporation organized under the laws of the State of Massachusetts with its principal place of business in Boston, Massachusetts. Defendant Liberty Mutual Group, Inc. is a corporation organized under the laws of the State of Massachusetts with its principal place of business in Boston, Massachusetts. Defendant Liberty Mutual Fire Insurance Company is a

corporation organized under the laws of the State of Wisconsin with its principal place of business in Boston, Massachusetts.¹

3. This action has been removed within the thirty (30) day period specified in 28 U.S.C. § 1446(b)(1).

4. The Western District of Oklahoma includes the state judicial district in which Plaintiff filed her Petition.

5. This is a civil action over which this Court has original jurisdiction based on diversity of citizenship and amount in controversy pursuant to 28 U.S.C. § 1332, and which may be removed to this Court pursuant to 28 U.S.C. §§ 1441 and 1446.

6. The First Amended Petition asserts causes of action for breach of an insurance contract and breach of the duty of good faith and fair dealing in the handling of a claim on an insurance policy. The amount in controversy for each of Plaintiff's causes of action exceeds \$75,000, exclusive of interest and costs. *See* First Amended Petition, attached hereto as Exhibit 4, at ¶¶ 24, 31, and Plaintiff's prayer for relief.

¹ "Liberty Insurance Company," another entity named as a Defendant in Plaintiff's First Amended Petition, does not exist.

7. Contemporaneous with Defendants' filing of this Notice, Defendants will serve written notice to Plaintiff's counsel of the filing, as required by 28 U.S.C. § 1446(d).

8. Defendants shall likewise file a true and correct copy of their Notice of Removal with the Clerk of the District Court in and for Oklahoma County, State of Oklahoma, as required by 28 U.S.C. § 1446(d).

CONCLUSION

Defendants LM General Insurance Company, aka/dba Liberty Mutual Insurance Company, aka/dba Liberty Mutual Group, Inc., aka/dba Liberty Insurance Company, aka/dba Liberty Mutual Fire Insurance Company respectfully remove the State Court action from the District Court for Oklahoma County, Oklahoma, to the United States District Court for the Western District of Oklahoma, to proceed as an action properly removed thereto.

Respectfully submitted,

s/William W. O'Connor

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**ATTORNEYS FOR DEFENDANTS LM
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aka/dba LIBERTY MUTUAL GROUP, INC.,
aka/dba LIBERTY INSURANCE COMPANY,
aka/dba LIBERTY MUTUAL FIRE INSURANCE
COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of December, 2015, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Simone Gosnell Fulmer

Harrison C. Lujan

Jacob Rowe

ATTORNEYS FOR PLAINTIFF

s/William W. O'Connor

William W. O'Connor